
October 29, 2015

Senate Passes Cybersecurity Legislation

On Tuesday afternoon, the Senate passed the Cybersecurity Information Sharing Act (CISA) ([S. 754](#)) by a vote of 74 to 21 ([Bill Summary](#)). The bill was sponsored by Senators Richard Burr (R-NC) and Dianne Feinstein (D-CA) and focuses on sharing cyber threat information between the government and private sector. The House passed two cybersecurity bills in April of this year incorporating much of the the same language. The Protecting Cyber Networks Act ([H.R. 1560](#)) and the National Cybersecurity Protection Advancement Act ([H.R. 1731](#)) both passed by a vote of 355 to 63. The legislation will now go to conference before being sent to President Obama, who has suggested he will sign it into law.

The bill would require communication between the Director of National Intelligence, Department of Homeland Security, Department of Defense, and Department of Justice with private companies, state and local governments, and the public on cyber threat issues. The bill allows private companies to monitor their information systems in order to detect and prevent cybersecurity threats and allows those companies to share that information with the relevant government agencies in order to mitigate any further threats. The legislation provides liability protections from antitrust lawsuits relating to data sharing for companies that share data with those federal agencies. Privacy advocates remain concerned that the bill will encourage companies to hand over large amounts of customers' personal data to government intelligence agencies.

The bills will now be reconciled in a conference committee where both chambers will work to create a unified bill. Senator Richard Burr (R-NC) has stated that while he believes a conference could begin as early as this week, it is not likely that a final bill will be passed before 2016 as there are significant differences to overcome and the issue is highly technical. If a conferenced bill reaches the President's desk. President Obama has

expressed his intent to sign the legislation and reaffirmed his [support for the bill](#) on Thursday. Support from the administration had been in question as the President had expressed reservations. The White House expressed concern that lawmakers would approve exceptions to the Department of Homeland Security (DHS) data-sharing portal. The White House wants all private sector data funneled through the Department of Homeland Security (DHS). The President also suggested that the liability protections in the House bill went too far. On Wednesday, White House spokesman Eric Schultz said those concerns had been mitigated.